UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/494,801	01/31/2000	Arthur L. Gaudette	INTL-0314-US(P7997)	3975

7590 12/30/2003	EXAMINER
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ART UNIT	PAPER NUMBER
2173	

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DATE MAILED: 12/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _24 November 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-4,6-11,13-20 and 24-26_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-4,6-11,13-20 and 24-26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner. .

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 24-26 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U.S.

Patent No. 6,366,933 (Ball et al).

Ball discloses in column 1: lines 50-57 an invention for comparing a cached and a current

version of a document. Ball further illustrates in Figures 11 and 12 that the documents used for

comparison are Internet web pages. It should be noted that Applicant's claimed feature of

"blanking the common material between the cached and the current version such that only new

material in the current version is displayed" works when material has only been *added* to a web

page. If material from the cached version has been deleted, the deleted material will also remain

on the display after the common material has been blanked. Accordingly, Ball teaches this

limitation in column 19: lines 1-10, where he discloses a method for showing the differences

between two Internet web pages, wherein only the differences are displayed on the screen. In all

instances where new material has been added and no old material has been deleted, the

differences between the cached and current versions will comprise only the newly added

material. Regarding claim 26, Ball discloses in column 15: lines 29-41 an alternative approach

to web page differencing in which all processing is performed at the client computer. In this

case, current versions of web pages must be provided to the web browser from the corresponding

web servers.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-4, 6-11, and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Patent No. 6,366,933 (Ball et al) and U.S. Patent No. 5,142,619 (Webster, III).

Referring to claims 1, 2, 4, 6, 8, 9, 11, 13, 15, and 20, Ball discloses in column 1: lines

50-57 and further illustrates in Figures 11 and 12 an invention for comparing cached and current

versions of an Internet web page. Ball's invention inherently operates on processor-based

systems with storage media for storing program instructions. In Figure 12, Ball even discloses a

button labeled "DIFF" that, upon actuation, causes the differences between the cached and

current versions of the Internet web page to be displayed on the screen. Furthermore, the

examiner submits that current version of a web page is provided to a web browser from a web

server for the web page. While in one embodiment the current version is provided by Ball's

"External Service", Ball explains in column 15: lines 29-41 that a client-side approach can also

be used. In this embodiment, current versions of a web page are provided to the browser from

the corresponding web server, and the differencing function is run against a locally saved copy.

Ball, however, fails to disclose a navigation bar on the browser window comprising a subtract

button image. Webster discloses in column 4: lines 5-32 an invention for comparing two files

wherein a compare button [66] is implemented in an editing program's action bar [62]. The

action bar is interpreted to correspond to the claimed navigation bar since both are toolbars

designed to operate in the context of a file comparison program. The compare button [66], upon

actuation, causes only the differences between two files to be displayed on the screen in window

W3. As illustrated in Figure 4, the compare button [66] uses a textual label for identification.

Although the compare button [66] does not contain a subtract button image, the button behaves

in a similar manner to the corresponding button of the claimed invention. At the time the

invention was made, it thus would have been obvious to a person of ordinary skill in the art to

modify compare button [66] by changing the label to an image of a minus sign. Applicant has

not disclosed that the minus sign image provides an advantage, is used for a particular purpose,

or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected

Applicant's invention to perform equally well with a textual label because the button's behavior

would remain the same. Accordingly, it would have been obvious to one of ordinary skill in the

art to modify Ball's invention to use a minus sign image instead of a textual label. Furthermore,

it would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine Webster's compare button on a navigation bar with the browser disclosed by Ball.

Such a combination would have improved Ball's invention by increasing the visibility and

accessibility of the differencing feature.

Referring to claims 3 and 10, Ball discloses in column 19: lines 1-10, a method for

showing the differences between two Internet web pages, wherein only the differences are

displayed on the screen. Said method corresponds to the claimed limitation of "blanking the

common material".

Referring to claims 7, 14, and 19, Ball illustrates in Figure 11 that differences are

presented to the user as an HTML file in a web browser. Assuming that a user is viewing the

current version of a web page before requesting that the differences be displayed, he or she could

toggle between displaying the difference version and the current version simply by using "back"

and "forward" functions well known in the art of web browsing.

Referring to claims 16-18, Ball illustrates in Figure 12 a button image (labeled DIFF),

that upon actuation, causes a cached version and a current version of an Internet web page to be

differenced and the results displayed on the screen, as shown in Figure 11.

Response to Arguments

Applicant's arguments filed 24 November 2003 have been fully considered but they are

not persuasive. Applicant first asserts that Ball fails to disclose supplying an Internet web page

to a web browser for differencing. As mentioned above, Ball discloses in column 15: lines 29-41

an alternative approach to web page differencing in which all processing is performed at the

client computer. In this case, current versions of web pages must be provided to the web

browser from the corresponding web servers.

Applicant further asserts that Ball fails to disclose showing only new material in a current

version of a web page. As explained above, Applicant's claimed feature of "blanking the

common material between the cached and the current version such that only new material in the

current version is displayed" works when material has only been *added* to a web page. If

material from the cached version has been deleted, the deleted material will also remain on the

display after the common material has been blanked. Therefore, Ball's method of showing all

differences anticipates the only valid circumstance of this limitation, i.e. the only difference

between a cached version and a current version with new material, *is* the new material.

The rejections are thus maintained for the reasons provided above.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Brian J Detwiler whose telephone number is 703-305-3986. The

examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John W Cabeca can be reached 703-308-3116. The fax phone number for the

organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-305-3900.

bjd
24 December 2003

BA HUYNH
PRIMARY EXAMINER